

**From:** Jerry Davis  
**To:** Microsoft ATR  
**Date:** 12/8/01 7:57am  
**Subject:** comments on your judgement

It is quite clear to me that this was written by lawyers who have no real experience with software development and software coding.

I was agreeing to quite a bit of this until III.J in which you opened the floodgates of a gigantic loophole for Microsoft to jump into. Given the history of Microsoft in the last 10 years. This amounts to "business as usual" for Microsoft. What a waste of our tax dollars.

You all did a masterful job during the trial in showing us what a Monopolistic power Microsoft was, then with this judgement you have really blown it. No wonder Bill Gates calls this a "fair" settlement. If I were Bill I would too!

I would strongly suggest you take into account the somewhat stricter format that the other nine states are taking.

Two things that were not addressed at all: 1) data formats. The reason Microsoft has such a hold on the PC market is its office products. He who holds the keys to the data, has control. There was NO mention of providing the data format definitions of the office products that MS has to third parties. 2) real competition. Most of your document was about not limiting competition in the Windows space. Very little about real competition from Apple and Linux, FreeBSD, Beos and other possible contenders.

The reason that real competition will not be achieved with your document is that there is no provision for MS to be open with its data formats, and communication protocols. What about what they did with Kerberos with their "embrace, extend, and extinguish" method of changing the Kerberos authentication scheme that all other OS's use but now do not work with Windows Servers?

Until there is real choice of OS, meaning that MS Office products are required to run on all other Platforms, other OS's will never have a real chance to compete. And until we get real competition MS will continue to have a monopoly in the software industry. And we as consumers will never have a real choice.

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Try Linux, the Operating System which values your freedom.  
Not the Outlaw Microsoft, which values their bottom line.

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```
perl -e 'print pack("H*", "6a6664656364406578656370632e636f6d");'  
or  
perl -e 'print unpack("u", "2:F9D96-D0&5X96-P8RYC;VT*");'
```